



# House of Representatives

General Assembly

**File No. 37**

February Session, 2016

House Bill No. 5181

*House of Representatives, March 15, 2016*

The Committee on Planning and Development reported through REP. MILLER, P. of the 36th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE DELIVERY OF FREE NEWSPAPERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1      Section 1. (NEW) (*Effective October 1, 2016*) (a) Each publisher  
2      causing delivery of an unsolicited newspaper without charge to a  
3      residential or business address shall include with such newspaper  
4      notice of how the recipient may stop delivery of the newspaper. The  
5      notice shall inform the recipient that if the recipient chooses not to  
6      receive the newspaper, the recipient may call a telephone number  
7      listed in the notice to stop delivery. Notice shall be conspicuous and  
8      printed on the first or second page of, attached to or delivered with the  
9      newspaper.
- 10     (b) Failure to comply with the requirements of subsection (a) of this  
11     section shall be deemed an unfair or deceptive trade practice under  
12     subsection (a) of section 42-110b of the general statutes.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2016</i>	New section
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**PD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill results in no fiscal impact as few complaints regarding unsolicited, free newspapers are anticipated.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****HB 5181*****AN ACT CONCERNING THE DELIVERY OF FREE NEWSPAPERS.*****SUMMARY:**

This bill requires the publisher of an unsolicited, free newspaper to provide information on how residential or business recipients can terminate delivery. The newspaper's notice must be conspicuous and (1) printed on the newspaper's first or second page or (2) attached to or delivered with the newspaper. It must give the recipient the option of calling a provided phone number to terminate delivery. The bill makes failure to comply with the bill's requirements an unfair or deceptive trade practice under the Connecticut Unfair Trade Practices Act (CUTPA).

EFFECTIVE DATE: October 1, 2016

**BACKGROUND****CUTPA**

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the Department of Consumer Protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

**COMMITTEE ACTION**

## Planning and Development Committee

Joint Favorable

Yea    20    Nay   0    (03/04/2016)